

Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTH CASCADES BANK, DIVISION
OF GLACIER BANK,

Plaintiff,

vs.

M/Y THERAPY, Official Number
1128525, *in rem*; and ERIC THOMAS
STAMNES, *in personam*,

Defendants,

IN ADMIRALTY

Case No. 2:22-cv-01860-RSM

**ORDER GRANTING MOTION TO
AMEND ORDER GRANTING
PLAINTIFF'S RENEWED MOTION FOR
DEFAULT *IN REM* AND FORECLOSING
PREFERRED MORTGAGE AND FOR
SALE OF VESSEL**

THIS MATTER came on regularly upon the motions of Plaintiff and the Court, having considered the records and files herein, now makes the following findings:

1. The Order obtained by Plaintiff for the U.S. Bankruptcy court having jurisdiction over the request for relief by Defendant Eric Thomas Stamnes granted relief from the stay specifically as to the Defendant vessel, M/Y THERAPY, and not as to the Defendant Eric Thomas Stamnes, *in personam*; and

2. In Plaintiff's Renewed Motion for Default *In Rem* and For Order Foreclosing Preferred Mortgage and for Sale of Vessel [ECF #26], Plaintiff specifically waived any claim for judgment against defendant Eric Thomas Stamnes, *in personam*, in obtaining a foreclosure against the vessel; and

3. The Order Granting Plaintiff's Renewed Motion for Default *In Rem* and for Sale of Vessel [ECF #29] mistakenly ordered judgment against both "defendant Eric Thomas Stamnes and the M/Y Therapy" and such an order would be in violation of the order issued by the U.S. Bankruptcy court granting Plaintiff relief from the stay.

NOW THEREFORE, IT IS

1. ORDERED that Order Granting Plaintiff's Renewed Motion for Default *In Rem* and for Sale of Vessel [ECF #29] be amended to strike the phrase "defendant Eric Thomas Stamnes and" from the order as found in paragraph 2 on page 2 of said order.

DATED this 1st day of September, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

MILLER NASH LLP

/s/ Jess G. Webster

Jess G. Webster, WSBA No. 11402
Drew F. Duggan, WSBA No. 50796
MILLER NASH LLP
605 5th Avenue S, Suite 900
Seattle, WA 98104
Tel: (206) 624-8300
Email: jess.webster@millernash.com
Email: drew.duggan@millernash.com

Attorneys for North Cascades Bank, Division of Glacier Bank